

United States Senate

WASHINGTON, DC 20510 - 3505

January 30, 2018

Mr. Paola DeMaria
Superintendent of Public Instruction
Ohio Department of Education
25 South Front Street
Columbus, Ohio 43215

Mrs. Tess Elshoff
President
State Board of Education
25 South Front Street
Columbus, Ohio 43215

Dear Mr. DeMaria and Mrs. Elshoff:

I am concerned about the impact on students and their families, communities, and Ohio taxpayers caused by the Electronic Classroom of Tomorrow (ECOT) losing its sponsor and the school's closure. Since 2001, ECOT has received over \$1 billion in taxpayer funds and has consistently been a low-performing charter with a myriad of ethical and legal issues. It is essential that steps are taken to ensure that former ECOT students are transitioned to new schools and all possible taxpayer dollars are recouped from ECOT and its operator, Altair Management. It is also imperative that the state take steps to prevent other bad actors from further exploiting Ohio students and taxpayers.

Given the Educational Service Center of Lake Erie West's (ESC Lake Erie West) decision to cease sponsoring ECOT, the school has closed and 12,000 students¹ will have to be placed in other schools.² Because of ECOT's closure, school districts across the state are scrambling to plan for the influx of students in the middle of the semester.

While the shuttering of this persistent bad actor will have a widespread impact on the state due to its size and reach, the abrupt closure of schools like ECOT are all-too-common in Ohio. In recent years, Ohio students have experienced a series of abrupt closures of publicly-funded charter schools. In 2013, 4 charter schools (three in Dayton, and one in Trotwood), sponsored by St.

¹ O'Donnell, P. (2018). *ECOT closing: Sponsor votes to shut online school after state rejects settlement offer.* *cleveland.com*. Retrieved 30 January 2018, from http://www.cleveland.com/metro/index.ssf/2018/01/ecot_sponsor_votes_to_close_the_online_school_after_state_rejects_settlement_offer.html

² Bush, B. (2018). *School districts brace for influx of ECOT students.* *The Columbus Dispatch*. Retrieved 29 January 2018, from <http://www.dispatch.com/news/20180111/school-districts-brace-for-influx-of-ecot-students>

Aloysius Orphanage, closed weeks after opening.³ In February 2013, ScholArts Preparatory and Career Center for Children in Columbus closed midyear.⁴ In 2015, FCI Academy in Columbus, managed by ESC Lake Erie West – the same sponsor as ECOT, closed its doors weeks before the first day of school leaving 400 students in the lurch.⁵ For students, families, and communities, the sudden closing of a school has a huge effect on educational outcomes. These closings break trust in public education and the links between the school and the community. Closings at the beginning or middle of the school year show that schools and their sponsors have not adequately planned for the school year. It is important that the Ohio Department of Education (ODE) have clear policies in place that can prevent students and communities from being blindsided by the sudden, mid-year closing of charter schools. Students and parents being locked out of schools, mid-year, without notice or transitional resources is unacceptable to Ohio students and taxpayers.

In order to better provide transparency around all charter school closings generally, and the charter schools and sponsors who have closed during the school year, specifically, we would appreciate a response to the questions below by February 10, 2018.

- 1) Please detail ODE's policies and procedures for charter schools and sponsors that suddenly close. Is there a mandated transition plan? If so, please provide these plans to my office.
- 2) What is the State Board of Education and the ODE plan for strengthening the oversight of other for-profit online charter schools to ensure that events leading up to the removal of sponsorship and closure of the ECOT does not happen again?
- 3) How many students were enrolled in ECOT as of January 18, 2018?
- 4) Are there planned resources, support, and transitions services – particularly for graduating seniors, students with disabilities, English language learners, and at-risk student populations, such as students who are overage and under-credited – for districts and/or schools receiving ECOT transfers?
- 5) How much funding has ECOT received from local, state, and federal sources, disaggregated by source, as of January 18, 2018?
- 6) For students affected by ECOT's potential closing, how will you document and monitor which schools and/or districts they are transferred to and the support services they receive during transition?
- 7) ECOT's charter school authorizer is the ESC of Lake Erie West. What state policies are in place to ensure that ESC Lake Erie West holds its charter schools to high standards? How does the state ensure that charter school authorizers have a transition plan for students affected by school closures?

³Sweigart, J. (2018). *State spent \$1.2M on shuttered charter schools*. *mydaytondailynews*. Retrieved 30 January 2018, from <http://www.mydaytondailynews.com/news/local-education/state-spent-shuttered-charter-schools/msptcCk7dKOInEZIDrvdCO/>

⁴*Audit finds closed Ohio charter school didn't repay \$478,000 - The Lima News*. (2018). *The Lima News*. Retrieved 30 January 2018, from <http://www.limaohio.com/news/220786/audit-finds-closed-ohio-charter-school-didnt-repay-478000-2>

⁵*Audit finds closed Ohio charter school didn't repay \$478,000 - The Lima News*. (2018). *The Lima News*. Retrieved 30 January 2018, from <http://www.limaohio.com/news/220786/audit-finds-closed-ohio-charter-school-didnt-repay-478000-2>

- 8) Are there any outstanding vendor contracts and other bills that have not been paid by ECOT? Are there any outstanding funds that ODE has not recouped?
- 9) Please provide the total amount of funds distributed by ODE to ECOT. What steps is ODE taking to actively recoup funds from ECOT and its operator, Altair Management?
- 10) With the closing of ECOT, what is the process for recouping any federal or state dollars that were disbursed this year from either ECOT or its operator, Altair Management?
- 11) Given ECOT's falsification of student enrollment numbers, what steps are underway to recoup funds wrongfully disbursed by ODE in prior years?
- 12) Please provide a list of all charter schools and sponsors that have closed from 2013 to the present. Provide any available data that includes: dates of closure, notice given to students, data regarding student transfers, and transition summaries of charter schools that have closed.
- 13) What policies will the state put in place regarding charter school and charter school authorizer accountability and oversight to ensure this situation never happens again?

Charter schools and their management organizations are taxpayer-funded entities that receive funds from local, state, and federal sources. The burden of a school closing falls on students who no longer have a school to attend and Ohio taxpayers who have footed the bill that was mismanaged with broken promises made to the state, taxpayers, students, and communities. There are outstanding funds owed to local communities, Ohio Department of Education, and potentially the federal government that have not been recouped in the aftermath of these closures. Districts and schools that receive the students who were shut out of abruptly closed schools have a heavy burden to bear and with strained resources. It is imperative that the ODE provides resources for this transition and holds the closing school's sponsor organization accountable for this break in public trust.

Sincerely,



Sherrod Brown
United States Senator